

1 KAREN A. OVERSTREET
Chief Bankruptcy Judge
2 United States Courthouse
700 Stewart St., Suite 6310
3 Seattle, WA 98101
206-370-5330
4

5
6 IN THE BANKRUPTCY COURT OF THE UNITED STATES FOR
THE WESTERN DISTRICT OF WASHINGTON, AT SEATTLE

7 In re

8 Karl John Reinke

No. 09-19609

9
10 Debtor(s).
11

ORDER ON REVISED MOTION
FOR INTERIM FEES

12 This matter came before the court the Revised Motion for Interim Fees filed by
13 Richard Llewelyn Jones. The Revised Motion was mistakenly filed in the associated
14 adversary proceeding to this case, Reinke v. Northwest Trustee Services Inc., et. al, No.
15 A09-01541. The court reviewed the pleadings and files in both the main bankruptcy case
16 and in the adversary case when considering Mr. Jones' request for fees.

17 The court finds as follows:

18 1. Mr. Jones' employment as special counsel to represent the estate in the
19 adversary proceeding was approved by order entered January 5, 2010.

20 2. This is Mr. Jones' first application for fees and costs. Mr. Jones seeks approval
21 of fees in the amount of \$5,857.50 and costs in the amount \$1,442.50, for a total of \$7,300.

22 2. Mr. Jones holds a \$4,000 retainer pursuant to the Standard Retainer Agreement
23 dated September 6, 2009.

24 3. Mr. Jones was owed \$2,637.50 in fees and costs related to the adversary
25 proceeding when the bankruptcy case was filed. Mr. Jones' claim against the estate was
26 not disclosed in the Application to Hire Richard Jones filed November 11, 2009.

27 4. Of the fees and costs requested in the Revised Motion for Interim Fees, \$212.50
28 relates to debtor's Motion for Default against defendant First American Title Insurance

1 Company. The court twice denied debtor's Motion against First American for lack of proof
2 of proper service.

3 5. Mr. Jones' application includes \$720.00 for 9 hours of "paralegal title research"
4 performed by Shorewood Compliance and Consulting Services. In its Order on Motion for
5 Interim Fees Denied without Prejudice entered May 11, 2010, this court requested
6 additional information regarding this cost item. The Revised Motion for Interim Fees
7 includes a general statement about the nature of the services performed by Shorewood
8 Compliance and Consulting. However, it did not include a detailed description of the
9 services rendered, the time expended, or the rate charged, so the court cannot make a
10 determination regarding the reasonableness of this cost.

11 Based on these findings, the court concludes:

12 1. The fees requested will be reduced by \$550 (2 hours of time) for counsel's failure
13 to disclose his pre-petition claim as required by Local Rule 2014-1(a).

14 2. The fees and costs requested will be reduced \$212.50 for time and costs related
15 to the two unsuccessful Motions for Default as to defendant First American Title Insurance
16 Company.

17 3. The costs related to Shorewood Compliance and Consulting Services' bill for
18 \$720 will be disallowed.

19 Now, therefore, it is hereby

20 ORDERED that the court will allow interim fees and costs in the amount of
21 **\$5,817.50**. The retainer of \$4,000 may be applied to the fees allowed. The balance of
22 \$1,817.50 may be paid from ongoing operations of the debtor in possession.

23 ///END OF ORDER///

24
25 
26 United States Bankruptcy Judge
27 (Dated as of Entered on Docket date above)
28